

## HB 1968 – IMPACT SYNOPSIS

Public Act 94-645 (HB 1968) approved by the General Assembly and signed by the Governor in August 2005 resulted in changes to the Illinois Campaign Financing Act. What follows is a synopsis of this legislation. It is to be used only to provide an overview of the changes and is not to be used as a legal interpretation. Please refer to the Campaign Financing Act that is available for download from this site for exact language. If you have any questions, please feel free to contact any member of the Campaign Disclosure staff at 217-728-4141.

- Threshold for filing a Pre-Election Report (10 ILCS 5/9-10): Establishes a 'participation' threshold of more than \$500 in regards to filing a Pre-Election Report. A committee that makes expenditures in excess of \$500 in aggregate on behalf of or in opposition to a candidate or public policy question on the ballot must file a Pre-Election Report (and Schedule A-1 reports if applicable) for that election. A committee that does not exceed the threshold may file a Statement of Non-Participation. However, any committee formed to support or oppose a candidate or public policy question on the ballot must file a Pre-Election Report regardless of how much money it spends.
- Nonprofit Organizations (10 ILCS 5/9-7.5): Requires a nonprofit organization to register and file disclosure reports if it accepts contributions, makes contributions or makes expenditures in excess of \$5000 during any 12-month period (i) on behalf of or in opposition to public officials, candidates or a question of public policy, or (ii) for electioneering communication. An exception is made for labor unions.
- Sponsoring Entity (10 ILCS 5/9-3): Changes the definition of a sponsoring entity to allow only three exceptions: a political committee is not considered a sponsoring entity if it is a committee organized by (i) an established political party, (ii) a partisan caucus of either house of the Illinois General Assembly, or (iii) the Speaker or Minority Leader of the Illinois House or the President or Minority Leader of the Illinois Senate in their capacity as a legislative leader and not as a candidate. In all other cases, any person or group that contributes at least 33% of the total funding of a political committee must be listed as a sponsoring entity of that committee.
- Electioneering Communication (10 ILCS 5/9 – 1.4, 1.14): Adds electioneering communication to the definition of 'contribution'. Also adds two exclusions to the definition of electioneering communication, to exempt communications exclusively between a labor organization and its members and between a 501(c) (6) organization and its members.
- Disclosures in Political Communications (10 ILCS 5/9-9.5): Adds a requirement for vendors involved in the production or distribution of political communications to keep records showing the name and address of the person who purchased or requested the services and the amount paid. The records must be kept for one year after the payment is received. An exception is made in the case of telephone polling.